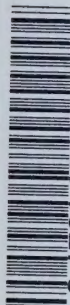


CA2ONEC 89R37

Ontario Environmental Assessment Advisory Committee.
Report No.37 to the Minister.
DEVELOPMENT ON THE CREDITVIEW WETLAND, CITY OF
MISSISSAUGA. DESIGNATION REQUESTS FOR AN ENVIRONMENTAL
ASSESSMENT. 1989.

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ONTARIO ENVIRONMENTAL ASSESSMENT ADVISORY COMMITTEE

REPORT NO. 37 TO THE MINISTER

**DEVELOPMENT ON THE CREDITVIEW WETLAND
CITY OF MISSISSAUGA
DESIGNATION REQUESTS FOR AN ENVIRONMENTAL ASSESSMENT**

Earth Sciences Library

October 4, 1989

**Dr. Philip Byer, Chairman
Dr. Robert Gibson, Member**

INST. FOR ENVIRONMENTAL STUDIES
UNIVERSITY OF TORONTO



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Introduction

On July 4, 1989 the Minister of the Environment asked the Environmental Assessment Advisory Committee to provide advice on the need for an individual environmental assessment for any development on the Creditview Wetland and catchment area, and on other means of protecting the integrity of the Wetland. The Committee held a public meeting on September 13, 1989 at Erindale College, Mississauga to hear submissions from the two developers, Sherwood Mills Inc. and East Credit Development Corp., relevant agencies, resident groups, naturalists, and members of the public. About 200 people attended the meeting. The Committee received 19 written submissions, of which 10 were presented at the public meeting, and 19 oral submissions. (See Attachment 1 - List of Submitters.)

The Committee held a second meeting on September 15, 1989 for which the following were notified: East Credit Development Corp., Sherwood Mills Inc., Ministry of Natural Resources (MNR) Maple District, Credit Valley Conservation Authority (CVCA), Federation of Ontario Naturalists (FON), Ms. Eva Berlin, Ms. Jocelyn Webber, City of Mississauga, and the Environmental Assessment Branch. With the exception of the City of Mississauga, all those notified were represented. The purpose of the meeting was to focus on the environmental significance of the Wetland in its present state and to discuss its potential for continuing as a valuable wetland if surrounded by urban development. Second, the Committee wanted to review the various policies, programs and other available means for protecting the Wetland.

Background

The Creditview Wetland is composed of a 4.5 hectare wetland complex including a significant bog component, and a 7 hectare catchment area, for a total area of approximately 11.5 hectares. It is located in the City of Mississauga north of Eglinton Ave. West and east of Creditview Road. The Wetland supports diverse flora and fauna and is presently designated as a Class III Wetland under the provincial Wetland classification system. A Class III wetland is considered "regionally significant" but not

"provincially significant". The proposed Provincial Wetland Policy Statement under the Planning Act indicates the intent of the Province to protect wetlands in Ontario and in the cases of Classes I & II, to ensure only compatible development. The protection of Class III to VII wetlands is a regional or local responsibility.

Both the planning approvals process and the evaluation of the Creditview Wetland have contributed to the controversy over its preservation. In Mississauga's 1976 Official Plan and 1984 East Credit Secondary Plan, the Wetland was given an Environmental Policy Area 'B' Classification, the lowest of the three categories of Environmental Planning Areas. In August and October 1986 respectively, two developers, East Credit Development Corp. and Sherwood Mills Inc., submitted applications for development of two properties encompassing the entire Wetland. (See Attachment 2 - Map.) As part of the government review of these proposals, the CVCA undertook an evaluation of the Wetland in the summer of 1987. This evaluation, undertaken according to the newly developed provincial wetland evaluation system, gave the Wetland a Class VII rating, the lowest rating under the provincial scale. MNR, in providing its comments about the development proposals, indicated that although the Wetland was Class VII, the City should "reconsider the significance of the Wetland and have regard for the implications of any decision to eliminate the wetland from this rapidly urbanizing area".

On January 11, 1988, the East Credit and Sherwood Mills subdivision plans were recommended for draft plan approval by the Mississauga City Council and on March 10, 1988 received conditional draft plan approval from the Region of Peel. The two properties are still zoned agricultural. In April 1988 the Halton/North Peel Naturalists' Club made a deputation to the Mississauga City Council expressing concerns over the loss of the Wetland, a valuable natural resource. The Council then passed a resolution requesting Peel Region to add to the draft plan approval conditions, a further condition that "Prior to registration, the environmental studies required by City Council Resolution 123-88 shall have been completed and their consequences resolved to the satisfaction of City Council". Also included in the resolution was a request that MNR and the CVCA re-evaluate the Wetland.

In May 1988, the City retained Ecoplans Limited to undertake a study of the Wetland, the costs of which were to be paid jointly by the two developers, and established an Advisory Committee to assist the consultant. The Advisory Committee included representation from the Boards of Education, MNR, CVCA, both developers, the South Peel Naturalists' Club, and the City.

In June 1988, the South Peel Naturalists' Club completed its own "Biological Inventory and Assessment of the Creditview Wetland". The authors of the report noted the "unusual and distinctive biological elements" of the Wetland and the Wetland's particular significance given its location in the City of Mississauga. In commenting on the conservation potential, management requirements, and utilization possibilities, the Club predicted that the Wetland could continue within an urban environment, provided that a catchment area is maintained and operational precautions are taken. The Club concluded that the Wetland could become an "outstanding biological and ecological educational resource in the City of Mississauga". An ecological evaluation of the Wetland undertaken by Paul Maycock, of Erindale College, also concluded that "this Wetland is unique in Ontario".

The final Ecoplans Report, submitted to Council in August 1988, concluded that the Wetland is a "high quality natural area which has natural qualities that merit preservation". The report also outlined two conditions which will influence any decision to protect the Wetland area: the lack of guarantee that the significant biological components of the Wetland will persist under urban conditions, although the Wetland itself will persist; and due to draft plan approval, there will be a high financial cost associated with its purchase and protection. These conclusions were endorsed by the City's Advisory Committee.

During the spring and summer of 1988, Mayor McCallion and Council received many letters expressing concern over the potential loss of the Wetland, including letters from biologists, naturalists, organizations and residents.

On September 7, 1988, a Planning Report by the Mississauga Department of Planning and Building was completed, outlining the history of the Wetland, its rating, and the present recommendations of the Advisory Committee and Ecoplans Ltd. In its conclusions, the Planning Report made the following points: "preservation of a small wetland, isolated within an urban environment, may not be in the interest of proper land-use planning or prudent environmental management"; the greatest obstacle to preserving the wetland is land acquisition cost, at that point estimated to be \$32.4 million; acquisition would not be a fiscally responsible expenditure of public funds; and before any decision is taken, the Advisory Committee should investigate the availability of alternate funds and report to Council within 30 days.

On September 26, 1988, the Planning Report and further citizen deputations, including a 10,000 name petition, were presented to Council. In October, MNR reclassified the Wetland to Class VI based on its re-assessment of the Wetland from July to September. MNR again noted the Wetland's value because of its diversity and location in an urban setting. At a Council meeting on October 11, 1988, City Council referred the matter to a special meeting of Council at which time staff would "report on negotiations with developers and the financial impact of available options". Also in October 1988, both Boards of Education, whose school sites might be affected if the Wetland were preserved, confirmed their willingness to consider relocation of their school sites.

Since municipal elections were scheduled for November 1988, City Council passed a resolution at the special Council meeting on November 7, 1988, to refer the matter to the 1989-91 Council for resolution.

On November 21, 1988, Jocelyn Webber of the South Peel Naturalists' Club wrote to the Minister of the Environment requesting designation of the development on the Wetland under the Environmental Assessment Act. Subsequent designation requests were made in 1989. The Minister also received several thousand letters indicating support for the preservation of the Wetland.

On December 6, 1988, solicitors for Sherwood Mill Inc and East Credit Development Corp. wrote to the Minister submitting that "subdivision of land for residential purposes cannot possibly fall under the Environmental Assessment Act and its regulations" and that the estimate of the cost of expropriation would be close to \$57 million. It was also submitted that on the basis of draft plan approval, lots had been presold on the assumption that servicing would begin in January 1989 and they would be delivered in May 1989. A decision was therefore critical in order to meet this schedule. In the Minister's response of January 20, 1989, he indicated that "while private undertakings are not automatically subject to environmental assessment, they may be designated under the Environmental Assessment Act if significant environmental impacts are anticipated".

In the spring of 1989 Sherwood Mills initiated a legal action against the Minister seeking a declaration that a "subdivision" is not an undertaking under the Environmental Assessment Act. This action was subsequently adjourned without a specific date for resumption.

Mississauga responded to both the designation requests and to the legal challenge by taking the position that until these matters requiring a provincial decision were resolved, it was not their responsibility to address the issue of the preservation of the Wetland.

The immediate effect of the designation requests was to stop all construction and servicing work which would impact on the Wetland. Also, the Rivergrove subdivision to the north was put on hold since its servicing is dependent on a connection to the East Credit Development servicing system.

After the designation requests, the Minister's office became directly involved in an effort to facilitate discussion and resolution of the issues in order to preserve the Wetland. The City chose not to participate in these discussions which apparently proceeded as far as they could without this participation. On June 22, 1989, the Minister wrote to the Mayor and City Council inviting the City "to participate fully in a negotiating process that will result in preservation of the Creditview Bog

and catchment area, with no or minimal additional cost either in terms of finances or traditional recreational facilities".

On July 4, 1989, the Minister wrote to East Credit Development Corp. stating that the Ministry would have no objection to development on East Credit's lands outside the catchment area, provided that there is a freeze on the areas dedicated for parks and schools and technical conditions that would protect the integrity of the Wetland are met. If the conditions are met, the City must still give its approval in order for any development to proceed. Sherwood Mills has subsequently indicated an interest in pursuing a similar arrangement in order to proceed with development on a portion of its lands.

Also on July 4, 1989, the Minister referred the designation requests to the Environmental Assessment Advisory Committee.

The Mayor of Mississauga met with the Minister and also indicated in a letter of July 10, 1989 that the City's objective is to do whatever is possible to preserve the Creditview Wetland. However, she expressed disappointment with the length of time taken by the Ministry to declare its position on preservation of the Wetland. The Mayor also suggested that the Ministry should undertake a comprehensive evaluation of all factors involved, including:

- an evaluation and identification of the area of land required to preserve the Wetland;
- an accurate categorization of the Wetland in the Provincial Wetland Classification System;
- a redesign of the subdivisions in order to accommodate the preservation of the Wetland; and
- a determination of the financial cost of preserving the Wetland and who will pay it.

On July 13, 1989, Mayor McCallion wrote to the Minister stating that "we support an Environmental Assessment of the Wetlands to ensure that a comprehensive evaluation is made of all the factors involved, and to precisely identify the area of land required to preserve the Wetlands".

Intertwined with this planning process was the evaluation of the Wetland. Citizens and naturalists undertook their own studies in order to clarify the significance of the Wetland. New information provided by the Peel Naturalists' Club "Inventory and Assessment Report", Paul Maycock's "Ecological Assessment Report", Jocelyn Webber, and Ted Mosquin, as well as the Ecoplans study, resulted in additional reclassifications of the Wetland by MNR, from a Class VI to V in November 1988, and to Class III in July 1989.

Discussion

The issues raised by the Creditview Wetland pertain not only to this specific case but also to all wetlands, and indeed to all natural areas, threatened by rapid urbanization. The Committee has therefore reviewed the Creditview Wetland both in terms of the specific case, and more generally as an example of the generic problem of planning for the preservation of natural areas threatened by rapid urbanization.

In the face of urban development pressures, the loss of wetlands in Southern Ontario is increasing at an alarming rate. According to a report submitted to the Committee, 97% of wetlands in the City of Mississauga had been lost by 1982. This figure is undoubtedly higher in 1989.

The fact that the Creditview Wetland was given the lowest Environmental Policy Area rating early during the planning process (Official Plan and East Credit Secondary Plan) raises serious questions about the ability of the municipal planning process to ensure proper identification and evaluation, and protection of natural areas. Furthermore, when the provincial review took place at the development application stage under the auspices of the CVCA, again the value of the

Wetland was missed. The CVCA used inexperienced staff and a system which, according to several submitters including Ecoplans, was not designed to evaluate small wetlands.

Ecoplans states in its Report that the "Provincial Wetland evaluation system on its own is inadequate in making decisions regarding the quality and sensitivity of small wetland habitats at the local or Regional level as it does not employ detailed inventories of seasonal plant and animal populations. The Wetland evaluation is intended to provide a screening level of assessment which classifies wetlands relative to other wetlands in the Province and does not replace more detailed studies in areas which might otherwise be missed due to their small size and/or unobtrusive nature."

Whether it was a lack of sufficient data to make informed planning decisions or the inadequacy of the evaluation system to identify small isolated wetlands, or a combination of both, the Creditview Wetland was not accurately evaluated. Planning at both the municipal and provincial levels should require an adequate land inventory, an identification of natural areas, and a comparison of natural areas in terms of other natural areas both in the region and in Southern Ontario. Were it not for the enormous public concern expressed over the potential loss of this Wetland, and more generally over the loss of natural environments within urban areas, the Creditview Wetland would surely have been destroyed by now.

In addition, the lack of an adequate acquisition program for the preservation of threatened natural environments in urban areas is of concern. MNR submitted that there is an annual acquisition budget of \$1 million and there are between 380 and 400 Class I, II & III wetlands. Given these limited funds and the priority given to Class I & II wetlands, neither MNR nor the CVCA could recommend funds towards the acquisition of the Class III Creditview Wetland.

The municipal planning process and public sector acquisition program, as demonstrated in the Creditview case, appear to be inadequate to meet the present challenge of wetland preservation. To meet the provincial

objective of wetland preservation, the Committee is of the view that other approaches should also be considered.

The government is presently pursuing this objective as it considers the incorporation of a Wetland Policy under the Planning Act, Section 3. However, the Committee is concerned that, relative to other provincial policies under the Planning Act and given the grossly inadequate funds to acquire wetlands for preservation, the proposed Wetland Policy will not sufficiently protect threatened wetlands in southern Ontario in the long term. There is a need for a realistic budget for acquisition and strengthening of Planning Act requirements to ensure preservation of significant wetlands.

Another option is to apply the Environmental Assessment Act to urban development undertakings that involve loss of wetlands and other environmentally significant natural areas. Requiring environmental assessments for such undertakings is consistent with the purpose of the Act. The Act already applies to municipal roads, sewers and water projects. It is the Committee's opinion that the environmental impact of the loss of wetlands is often more significant than the impact of most municipal road, sewer, and water projects which already fall under the Act. One possibility could be the development of a Class Environmental Assessment for private and public sector undertakings that may threaten wetlands in urban areas.

In its review of the specific case of the Creditview Wetland, the Committee has considered the planning process for the two subdivisions, the rating of the Wetland and its environmental significance, and potential and realistic means of saving it.

With the exception of the developers, there appears to be a consensus about both the ecological importance of the Wetland and its regional significance as the only wetland of comparable value between Rattray Marsh and other areas north of Highway 7. Public support by local and provincial groups has been substantial and ongoing. This support has been expressed both specifically in terms of this Wetland, and more generally in terms of the importance of natural areas to urban living. As the

Federation of Ontario Naturalists submitted, the Creditview Wetland can be a "free tranquilizer for all of us caught up in the demands of urban living". The Wetland can provide a valuable ecological, educational and recreational resource.

MNR has been consistent in urging preservation of the Wetland. The CVCA stated that wetlands are under pressure across the province and that it is difficult even to protect Class I & II wetlands. Other independent experts, including Mr. Ted Mosquin of Mosquin Bioinformation Ltd., Ecoplans, the Federation of Ontario Naturalists, Ducks Unlimited, the Ontario Federation of Anglers and Hunters, and other biologists have confirmed the regional significance of the Wetland and its particularly unique value within an urban environment.

In addition to the significance of the Wetland in its present state, there is also the question of the impact surrounding developments may have on the Wetland. It is the opinion of the various experts that a wetland is always changing. Therefore, regardless of development, the Creditview Wetland will continue to undergo change. As a consequence, its rating may change also. However, it is also the opinion of these experts that, while certain components may be lost as a result of development impacts, the quality of the Wetland could be maintained with an adequate buffer zone and appropriate subdivision design measures.

There is a clear choice which must be made about specific land uses and their comparative merits - in this case between the conventional subdivision development which provides housing and the use as a protected natural area. Given the increasing pressure on urban natural areas and the irreversibility of development, a choice in favour of the preservation of this significant Wetland would now, and in retrospect, be viewed as the prudent one. It is the Committee's opinion that every effort should be made to preserve the Creditview Wetland.

The Committee considered two options for achieving preservation: designation of the two subdivisions by East Credit Development Corp. and Sherwood Mills Inc. under Section 40 of the Environmental Assessment

Act; or negotiations, including subdivision redesign, acceptable to all parties.

Environmental assessment would entail investigation of alternatives to filling in the Wetland and would therefore require the parties to identify and clarify potentially acceptable options. It is unlikely, however, to produce any additional data about the significance of the Wetland. In comparison to negotiations, environmental assessment would be an indirect and lengthy process involving the parties in an evaluation of the preservation options and the option of eliminating the Wetland. An environmental assessment in this case would almost certainly be referred to the Environmental Assessment Board. At the end of such a process, there would not necessarily be a solution acceptable to all parties. Environmental assessment would cause further delays in the development of these lands, adding to the costs of development. However, in the absence of a more direct and efficient approach, environmental assessment is a legitimate, if clumsy and slow, option.

Negotiation is the more attractive option. Previous attempts to negotiate were unsuccessful in resolving all the outstanding issues since there was no requirement for the two developers to redesign together the subdivision with consideration of the relocation of parks and schools; there was inadequate information about the cost, if any, of compensating the developers and about school board requirements; and there was no formal reconsideration by the City of its park requirements and definition of parks. The City's decision to limit its participation in these discussions to that of an observer precluded successful negotiations. The absence of a provincial commitment to share in the costs of preservation also made negotiations more difficult.

The Committee is of the opinion that the existence of designation requests and a legal challenge did not earlier, and do not now, detract from Mississauga's responsibility to be involved in determining the future of the Wetland. It was, and still is, fully within the powers of the City to negotiate regardless of the designation requests and potential legal challenge. The City recognized its responsibility to resolve the environmental issues when in 1988 it requested Peel to add the following

condition of subdivision approval: "Prior to registration, the environmental studies required by City Council Resolution 123-88 shall have been completed and their consequences resolved to the satisfaction of City Council".

The difficulties experienced in the previous negotiations can be overcome and a negotiated solution can be achieved, though there is no guarantee of success. It would be possible to redesign the subdivision incorporating the Wetland while meeting municipal needs and respecting the developers' legitimate rights. Items which would need to be addressed include the following:

- the extent to which a redesign of the entire subdivision is needed to incorporate the Wetland, and if not a total redesign, the implications of releasing a portion of the lands for development;
- the loss of housing lots resulting from redesign;
- the costs to the developers of any lot losses and the value to the developers of any public amenities which would be gained from the preservation option, including a detailed explanation of the assigned values;
- revised plans of the School Boards;
- commitment of preservationists and others to contribute to the overall management and operation of the Wetland; and
- park and recreation requirements in order to incorporate the Wetland.

The Minister has stated to East Credit Development Corp. that the Ministry would not object to the release for development of its lands outside the Wetland catchment area, and excluding certain other lands, provided that certain conditions are met. The City, which would still need to give its approval, has indicated that good planning requires that any

redesign to preserve the Wetland must consider the entire development. The Committee shares the City's view on this.

If all parties have an incentive and agree to participate in a forthright and flexible manner, negotiation is more likely than environmental assessment to produce an acceptable solution quickly and at less cost.

For the City of Mississauga and the Region of Peel, the loss of the Wetland would be perceived as a planning failure by at least the many who favoured preservation. It is incumbent upon the City to participate since the subdivisions cannot proceed until the City's environmental concerns have been satisfactorily resolved. It has come to the Committee's attention that the other remaining wetland just to the east of the Creditview Wetland was apparently destroyed a few days prior to submitting this Report. The Committee has not had the opportunity to confirm this; however, if this is the case, public confidence will be further eroded. Participation in negotiations would go a long way to correcting the public perception that the City has not been co-operative. Successful negotiations would seem virtually impossible without municipal participation in the delineation of acceptable redesign options.

Because the planning process failed to identify the Wetland as an area worthy of preservation, the developers followed the planning process believing that their development proposals were consistent with the Official and Secondary Plans and that draft plan approval entitles them to compensation for lost lots resulting from any redesign. The developers have an interest in reaching a solution as soon as possible in order to develop the lands. Since environmental assessment would cause further delays and additional cost to the developers, there is reason for them to participate flexibly in any negotiation. Both developers have submitted to the Committee that they are willing to participate in negotiations.

The School Boards have already stated their willingness to negotiate the location of their schools in the interest of preserving the Wetland. At the public meeting, the Chair of the Peel Board of Education expressed a commitment to co-operate in achieving this common goal. There is clearly

a benefit to be gained in any redesign which preserves the Wetland since school children could use it as an educational resource.

The various naturalist groups, individuals and residents have demonstrated their commitment to the preservation of the Wetland and their interest in finding practical solutions. Some have also indicated their willingness to assist in establishing an effective system of operating and monitoring a wetland protected area.

The province is facing the cumulative impacts of urban development, which in Southern Ontario are seen in the rapid elimination of natural areas. The focus of public interest on the Creditview Wetland is important both in terms of this particular case and as an example of the growing concern over the irreversible loss of natural areas. Recreational areas such as sports fields are not considered substitutes. There is an opportunity for the province to take corrective action and set an example by helping to preserve the Creditview Wetland. The lead ministries should be Environment and Natural Resources.

Finally, the Committee would like to state its concern over the plight of the home buyers who have been caught in the middle of this controversy. They purchased homes in 1988 at a specified price. Because the development has not proceeded in the intended timeframe, their purchase agreements will apparently not be honoured. Any new homes in this location are almost certain to be at significantly higher prices. Unfortunate as this is, the preservation of the Wetland is also important.

In order to preserve the Wetland, the Minister should continue to facilitate negotiations and be a party to these negotiations. Because the issues are complex, the Ministry should be represented by an experienced and competent negotiator. Furthermore, the negotiations are amenable to mediation because the parties are clearly defined, the interests are relatively clear, and some components of a solution already exist. Therefore, a mediator should be appointed to assist the parties in reaching an acceptable solution. While appointment of a mediator should not take too long, the negotiations should begin immediately. If negotiations fail,

then the only existing mechanisms to preserve the Wetland appear to be designation under the Environmental Assessment Act or acquisition.

The Environmental Assessment Advisory Committee recommends that the Minister of the Environment should initiate and facilitate negotiations between the relevant parties in order to preserve the Creditview Wetland, and a mediator should be appointed to help with these negotiations. The parties to the negotiation should include the City of Mississauga, East Credit Development Corp., Sherwood Mills Inc., the Public and Separate School Boards, concerned citizen groups, and relevant provincial ministries including the Ministries of Environment and Natural Resources.

SUBMISSIONS FOR REFERRAL #37 -
ENVIRONMENTAL ASSESSMENT OF THE
CREDITVIEW WETLAND IN MISSISSAUGA

WRITTEN SUBMISSIONS

1. Lynde Hecking
2. Diane Takacs
3. Beverly Jamieson
4. Rosemary Gaymer *
5. Ontario Hydro
6. Michael Torzsok
7. Eva Berlin & Ray Weiss *
8. Barbara Hanley
9. East Credit Development Corporation *
 - Goodman & Goodman
10. Sherwood Mills Inc. *
 - Smith, Lyons, Torrance, Stevenson & Mayer
11. City of Mississauga *
12. Jocelyn Webber *
13. Brian Child - Soundair Corp.
14. Federation of Ontario Naturalists - Marion Strebig *
15. Jeff Kaiser *
16. Barbara & Steve Hanley
17. Angelique L. Ellerton
18. Creditview Home Owners Committee
 - Di Monte, Di Paolo, Drudi & Farace *
19. Ministry of Natural Resources, Maple District
 - Chris Goddard, District Manager *

* Denotes oral submissions made at the Public Meeting

ORAL SUBMISSIONS

1. City of Mississauga - Dirk Blyleven, Planning Department
Frank Dale, Councillor/Acting Mayor

2. MCE - Barbara Brownlee, Planner
3. Rivergrove
Development Corp. - Ron Starr (developer north of East Credit
Development Corporation)
4. Mathew McIntyre
5. Dr. McAndrews - Royal Ontario Museum
6. Jerry Guild
7. Ontario Federation of
Anglers & Hunters - Mr. Don Robins
8. Emily Scholer - South Peel Naturalist Club
9. Carolyn Parrish - Chair, Peel Board of Education
10. Z'anne Keele
11. Carolyn Siller
12. Kirsten Burling
13. Zoe Bandler and Megan Nichols
14. Credit Valley
Preservationists - Peter Orphanos
15. Kim Hunt
16. David Culham - Mississauga Councillor
17. Geoff Gartshore - Ecoplans Ltd.
18. David Bantrock
19. Heather Petrie

[] - AREA OF SUBJECT LANDS

Attachment 2

SUBJECT- DRAFT PLAN OF SUBDIVISION
21T-86072 M

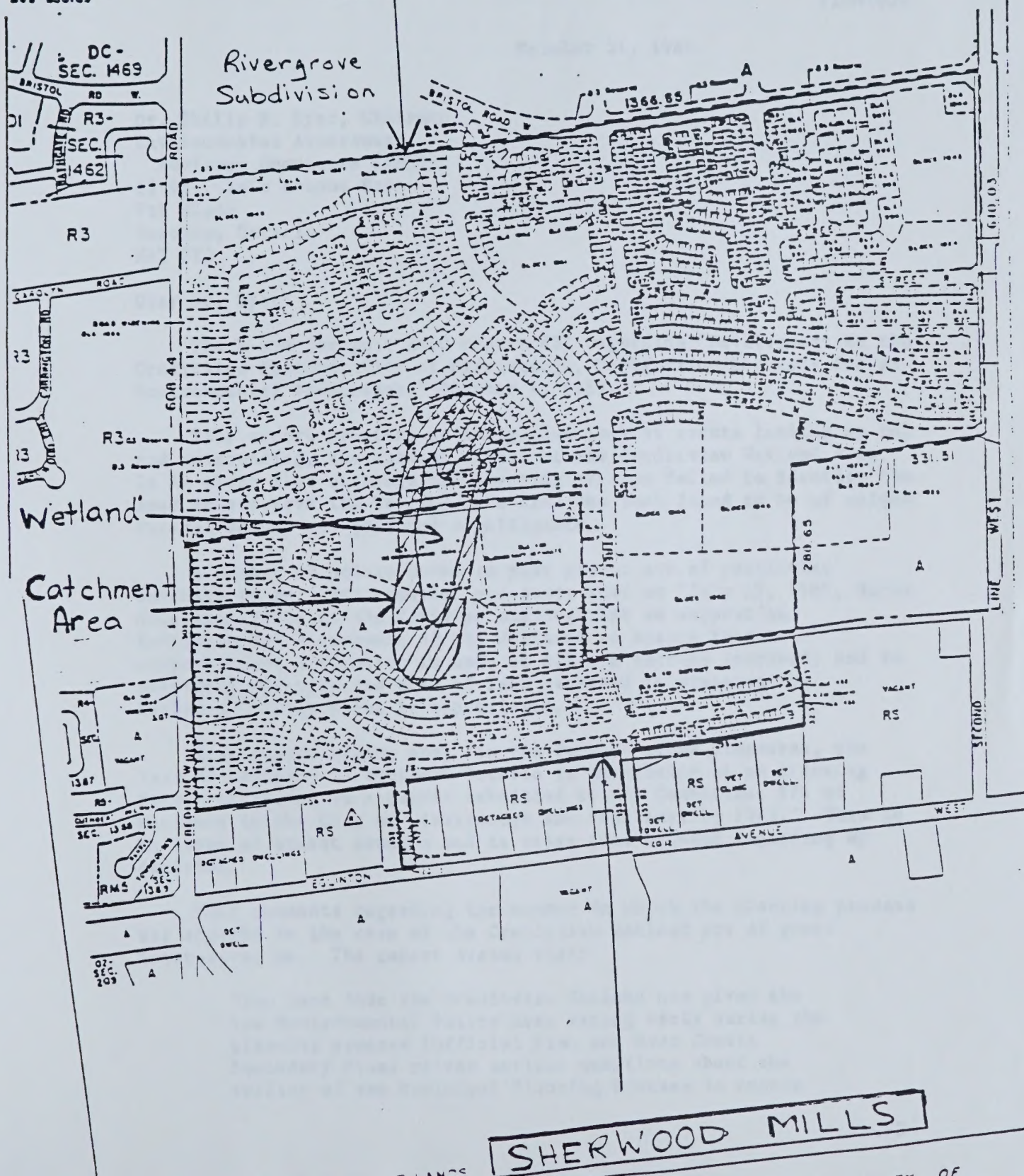
MUNICIPALITY OF
MISSISSAUGA

APPLICANT- EAST CREDIT DEVELOPMENT CORPORATION

WJB 850109

REGION OF PEEBLES PLANNING DEPARTMENT

P-A 8503





Office of the
Minister

Ministry
of the
Environment

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#10M1002

October 31, 1989

Dr. Philip H. Byer, Chairman
Environmental Assessment
Advisory Committee (EAAC)
65 St. Clair Avenue East
7th Floor
Toronto, Ontario
M4T 2Y3

Dear Dr. Byer:

Thank you for your EAAC report #37 regarding "Development on the Creditview Wetland, City of Mississauga, Designation Requests for an Environmental Assessment," October 4, 1989.

Your report provides an insightful look at events leading up to, and surrounding, the current status of the Creditview Wetland area. It is clear that although the planning process failed to identify the need to preserve the Wetland, the area has been found to be of unique natural beauty and profound significance.

A number of points noted in your report are of particular interest to me. For example, you state that on "July 13, 1989, Mayor McCallion wrote to the Minister stating that we support an Environmental Assessment of the Wetlands to ensure that a comprehensive evaluation is made of all the factors involved, and to precisely identify the area of land required to preserve the Wetlands." This point is appreciated.

Your report states that "in the face of urban pressures, the loss of wetlands in southern Ontario is increasing at an alarming rate. According to a report submitted to the Committee, 97% of wetlands in the City of Mississauga had been lost by 1982." This is an issue of utmost concern and is taken into account regarding my decision.

Your comments regarding the manner in which the planning process was applied in the case of the Creditview Wetland are of great interest to me. The report states that:

"the fact that the Creditview Wetland was given the low Environmental Policy Area rating early during the planning process (Official Plan and East Credit Secondary Plan) raises serious questions about the ability of the Municipal Planning Process to ensure

Dr. Philip Byer
October 31, 1989
Page 2

proper identification and evaluation, and protection of natural areas. Furthermore, when the provincial review took place at the development application stage under the auspices of the CVCA, again the value of the Wetland was missing. The CVCA used inexperienced staff and a system which, according to several submitters including Ecoplans, was not designed to evaluate small wetlands."

I will share this information with my colleague the Honourable John Sweeney, Minister of Housing and Minister of Municipal Affairs, and the Hon. Lyn McLeod, Minister of Energy and Minister of Natural Resources.

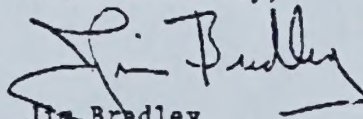
I accept the recommendation in your report that:

"The Environmental Assessment Advisory Committee recommends that the Minister of the Environment should initiate and facilitate negotiations between the relevant parties in order to preserve the Creditview Wetland, and a mediator should be appointed to help with these negotiations. The parties to the negotiations should include the City of Mississauga, East Credit Development Corporation, Sherwood Mills Incorporated, the public and separate school boards, concerned citizen groups, and relevant provincial ministries, including the Ministries of the Environment and Natural Resources."

I will notify the interested parties that a professional mediator will be hired at the Ministry's expense to produce an agreement that will allow for the preservation of the Creditview Wetland. I will also indicate my intention to designate the project subject to the Environmental Assessment Act should mediation fail.

Thank you again for your review of this matter.

Yours sincerely,


Jim Bradley
Minister

cc: The Hon. John Sweeney,
Minister of Housing and
Minister of Municipal Affairs

The Hon. Lyn McLeod,
Minister of Energy and
Minister of Natural Resources

Attached distribution list

